STATEMENT OF ANTHONY J. BRODERICK, ASSOCIATE ADMINISTRATOR FOR REGULATION AND CERTIFICATION, FEDERAL AVIATION ADMINISTRATION, BEFORE THE HOUSE COMMITTEE ON PUBLIC WORKS AND TRANSPORTATION, SUBCOMMITTEE ON AVIATION, ON REGULATORY AND SAFETY PROGRAMS. March 15, 1990.

Mr. Chairman and Members of the Subcommittee:

It is indeed a pleasure to appear before you again to discuss our regulatory and safety programs. Joining me today is Charles H. Huettner, Deputy Assistant Administrator for Aviation Safety.

Aviation safety is the FAA's primary mission, and safety continues to be our number one priority. It is a responsibility which we take very seriously through a vigorous program of certification, surveillance, enforcement, and regulatory initiatives. The FAA's certification, surveillance, and enforcement programs have all been well documented before this Subcommittee and I will not address them at this time. I would, however, like to provide you with an overview of our regulatory agenda which plays an important role in establishing where we will place regulatory priorities in furtherance of our efforts to promote aviation safety.

Needless to say, our regulatory agenda has been and continues to be very active. In recent weeks, for example, we issued final rules on: exit row seating, which requires air carriers to restrict seats in exit rows to only those persons who are able to

activate emergency exits and perform other emergency duties without assistance; prohibiting smoking in passenger cabin or aircraft lavatories during most scheduled flight segments in the United States, as well as amending the Federal Aviation Regulations to conform with the statutory prohibition from tampering with smoke detectors in airplane lavatories; and requiring all civil aircraft to be equipped with a transponder with automatic altitude reporting equipment when conducting operations into and out of the United States or across the contiguous United States Air Defense Identification Zone. This last rule was initiated to reduce the risk of midair collisions and to reduce the use of aircraft engaged in the illegal transportation of drugs.

In the last two fiscal years, we have issued a total of 67 final rules--25 in Fiscal Year 1988 and 42 in Fiscal Year 1989. To date, in Fiscal Year 1990, we have issued 15 final rules. Attached to my prepared statement is a listing of some of the more critical rulemaking initiatives issued from Fiscal Year 1988 to date. I have also listed rulemaking proposals that have been put out for public comment; we have not determined yet whether they should all be adopted as final rules in there proposed forms.

Notices of Proposed Rulemaking recently issued include proposals to require: air carriers to accept approved child restraint

systems provided by a parent or guardian; lighted passenger information signs while the aircraft is moving on the surface, and mandating compliance with the signs for both passengers and crews; clarification of existing regulations concerning the location of fire extinguishers and protective breathing equipment for use in galleys; and establishment of certain new aircraft registration and airmen certification requirements along with new procedures for processing major repair and alteration forms that pertain to fuel system modifications.

As you know, we have spent considerable energy in the area of aging aircraft. We have issued a number of rules in this area which put into effect our new philosophy of requiring that certain aircraft parts be replaced on defined schedules rather than relying on inspection programs to detect problems. You will continue to see strong regulatory action where needed in this area by the FAA as we further examine, in close cooperation with the aviation community, the whole topic of aging aircraft.

We will also continue to examine ways in which cabin safety and crashworthiness may be improved, along with improvements in aircraft certification requirements, and, where warranted, we will take regulatory action to effect needed change. And, as our human factors programs progress, you can expect to see additional regulatory efforts on our part in such vital areas as crewmember

training and proficiency, and in expanding the use of additional training tools such as simulators in carrier's training programs.

In short, Mr. Chairman, we have worked on many fronts to improve safety through our regulatory programs. You can continue to expect the same level of effort you have seen from us in the recent past as we have worked in such areas as aging aircraft and cabin safety. I will, of course, be pleased to elaborate on any of the projects listed on the attachment to my statement.

In response to your request, Mr. Chairman, I would like to turn briefly now to a discussion of the functions and some of the accomplishments of the recently established Office of the Assistant Administrator for Aviation Safety (ASF).

Briefly stated, the mission of ASF is to oversee, evaluate and recommend changes to the civil aviation system to maximize aviation safety. Within FAA, ASF oversees FAA safety activities and decision-making processes to provide an independent opinion to the Administrator; and they also develop studies, systems, policies and programs in support of agency safety objectives.

ASF functions within the agency as a proactive safety advocate, identifying areas where the agency should take action and working with their colleagues in the agency to affect any necessary

change. Since the Assistant Administrator for Aviation Safety reports directly to the Administrator, he is positioned to raise issues with the Administrator whenever he believes that policies, practices or proposals in other parts of the FAA do not achieve a level of safety that he feels should be within reach. ASF also helps the agency in its outreach to the aviation community, and facilitates two-way exchange of useful safety information with commercial and general aviation interests.

Systems Safety and Efficiency Reviews (SSER's) probably are one of the most visible and effective tools used so far by ASF. SSER's also are a good example of how the agency is trying to meet its mission as a proactive advocate of aviation safety. An SSER is a comprehensive, interdisciplinary evaluation of all activity directly affecting aviation safety in a portion of the civil aviation system. That includes all FAA functions that directly affect safety, but also includes activities of airport operators, carriers, pilots, and the like.

In the fact-finding portion of each SSER conducted by the FAA, we have made a special effort to involve representatives from the broad range of groups that have an interest in the SSER, such as air carriers, airport operators, pilots, consumer organizations, etc. We also have held extensive and well-attended public listening sessions. The analysis and recommendations which then follow from the fact-finding effort are developed by the FAA.

The first SSER began in August 1988 at O'Hare Airport. That SSER was a particular challenge not only because it was the first effort, but also due to the complexity of this portion of the National Airspace System. The O'Hare effort produced 100 recommendations for action, and has gone far towards improving the safety of that area.

Since then, ASF has undertaken equally demanding efforts in San Diego, the San Francisco Bay Area, and the entire Northeast Corridor, with "on-site" reviews of en route traffic control centers, terminal radar approach controls, and airport traffic control towers in Boston, New York, Philadelphia and Washington. The most recent SSER was a different type of effort. It evaluated the FAA's compliance and enforcement program in general aviation (GA). The end result of the SSER was recently announced by Administrator Busey, who accepted all 34 action items recommended by the SSER team.

ASF closely monitors implementation of all SSER recommendations. Thus far, SSER's have produced a total of 449 recommendations, of which 202 have been completed.

ASF also operates the FAA's Aviation Safety Hotline; anyone can call to pass on anonymous information that we analyze for preventative action. Since July 1985, when the hotline was first

established, ASF has handled 3,667 calls, of which 3,395 investigations were closed as of January 31, 1990. In an average month now, ASF handles 75 to 100 calls, and 8 percent of all investigations find a violation of Federal Aviation Regulations.

ASF is working to establish the National Aviation Safety Data Center, which is the FAA's official source of aviation safety data. The Center is designing systems to integrate various existing data bases in the agency with new information to analyze safety trends, identify issues, and support agency rulemaking and policy initiatives. The same office is working on the concept of aviation safety indicators to help identify safety trends and issues.

Other activities in which ASF is involved include: working with the Flight Standards team on the development of the agency's "New Back to Basics" program, designed to sharpen fundamental skills and to increase practical recognition of the critical role basic skills play in aviation safety; oversight of FAA quality assurance programs in all areas affecting aviation safety; and developing an aviation safety journal that will be a forum for discussing aviation safety policy, and a vehicle for passing information to all members of the aviation community.

In the establishment of a National Aviation Safety Priorities program, we sought participation by other Governmental units and the entire aviation community, including consumer groups and employee organizations. The Administrator will announce the results of this effort soon. The priorities will reflect his own personal stamp, and will constitute what the FAA believes are top national aviation safety priorities. In following years, we expect this process to be fully integrated with the agency's strategic planning process and the development by the Administrator of the agency's annual objectives.

In closing, Mr. Chairman, I would like to reemphasize the FAA's commitment to an aggressive and proactive safety program. And I would like to thank this Subcommittee for its longstanding support of our safety programs. We look forward to a continued close working relationship with the Members of this Subcommittee and its staff as we address the many difficult issues confronting our air transportation system.

That completes my prepared statement. We would be pleased to respond to questions you may have at this time.